

**ORDER SHEET  
IN THE HIGH COURT OF SINDH AT KARACHI**

Suit 746 of 2024

-----  
Date: Order with signature of the Judge  
-----

1. For hearing of CMA No.11426/2024
2. For orders on CMA No.11038/2024
3. For orders on CMA No.11039/2024
4. For hearing of CMA No.10311/2024
5. For hearing of CMA No.10313/2024
6. For orders on Nazir report dated 25.07.2024

**01.10.2024**

Ms. Rizwana Ismail, advocate for the plaintiff  
Mr. Salahuddin Ahmed advocate for alleged contemnor No.1.  
Mr. Talha Javed advocate holds brief for Mr. Arshad M Tayebaly, advocate for alleged contemnors 3 till 7 & 9 till 11  
Mr. Khursheed Javed, advocate for defendant  
Messrs. K.A. Vaswani and Ali Safdar Depar, Assistant Advocates General  
Alleged contemnor No.1 Roque Martin Dmello CNIC No.42301-1148182-7  
Mr. Muhammad Afzal, Director General Private Schools

Statement filed on behalf of alleged contemnor no.1 along with certain documents that demonstrate that while the defendant no.8 has applied for registration of the relevant campus the same has not been granted thereto as of date. Statement is taken on record.

Learned counsel states that per section 4(2) of the Sindh Private Institutional Institutions Regulations and Control Ordinance 2001, a school may commence operations simply by having filed an application for registration. Learned counsel for the plaintiff submits that the said rule only applies to institutions predating the Ordinance and per rule 4(1) the grant of permission / license is a prerequisite for a school to commence operations.

Mr. Muhammad Afzal, Director General Private Schools, is present and states that since inspection etc. is only possible once the school is operational, hence, license is granted subsequently. He further states that his department has no nexus with the legality of land use and that license can be granted irrespective thereof. Prior to proceeding further in this respect Mr. Muhammad Afzal, Director General Private Schools, is directed to file a sworn affidavit to such effect; and he may do so on or before the next date.

To come up on 29.10.2024.

Judge

Amjad